

INFORMATION DISCLOSURE STATEMENT

Applicants:	Wasowicz
Application No. .	09/912,681
Filed:	7/24/2001
For:	Diagnostic System and Method for Phonological Awareness Testing
Group Art Unit:	
Examiner:	
Attorney Docket No.:	2100632-991121

Commissioner of Patents and Trademarks
Washington, D.C. 20231

Dear Sir:

In accordance with the provisions of 37 C.F.R. § 1.56(a) and 37 C.F.R. § 1.97, Applicant(s) hereby make of record the references listed on the accompanying Form PTO-1449 for consideration by the Examiner in connection with the examination of the above-identified patent application.

This Information Disclosure Statement:

- (a) ☐ accompanies a new patent application submitted herewith.
- (b) ☒ is filed within three (3) months of the Filing Date or before the mailing date of a First Office Action on the merits; **OR**
- (c) ☐ after the period defined in (b) but before the mailing date of a Final Rejection or Notice of Allowance, **OR**
- (d) ☐ is filed after the first Office Action and more than three months after the application's filing date or PCT national stage date of entry filing but, as far as is known to the undersigned prior to the mailing date of either a final rejection or a notice of allowance, and is accompanied by either the fee (\$180) set forth in 37 CFR § 1.17(p) or a certification as specified in 37 CFR § 1.97(e), as checked below **OR**
- (d) ☐ is filed after the mailing date of either a final rejection or a notice of allowance, and the issue fee has not been paid, and is accompanied by the requisite petition fee (\$130) set forth in 37 CFR § 1.17(l)(1) and a certification as specified in 37 CFR § 1.97(e), as checked below. This document is to be considered as a petition requesting consideration of the information disclosure statement.

As required under § 1.97(e), Applicants, through the undersigned, hereby state either that [check the appropriate space]:

- (f) ☐ Each item of information contained in the Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing date of the Information Disclosure Statement; or
- (g) ☐ No item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing this Statement after making reasonable inquiry, no item of information contained in the Information Disclosure Statement was known to any individual designated in § 1.56(c) more than three months prior to the filing of the Information Disclosure Statement.

It is respectfully requested that each of the references shown on the attached Form PTO-1449 be made of record in this application. Copies of the references are enclosed

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The Commissioner is authorized to charge any deficiencies and credit any overpayment of fees to our Deposit Account No. 07-1896

Respectfully submitted,

Date: January, 2002

GRAY CARY WARE & FREIDENRICH LLP

By: _____

Reg. No. Timothy W. Lohse, Reg. No. 35,255
Attorneys for Applicant(s)
1755 Embarcadero Road
Palo Alto, CA 94304
650-320-7426

☐ Customer Number or Bar Code Label

(Insert Customer No. or Attach bar code label here)

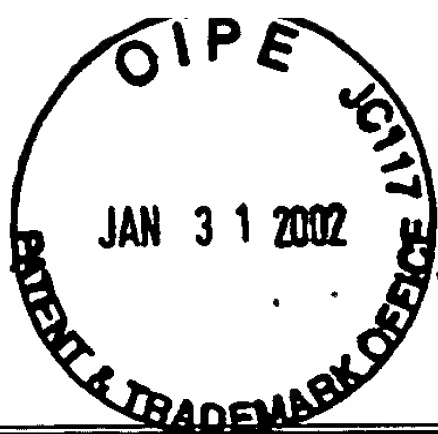
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as FIRST CLASS MAIL in an envelope addressed to: Commissioner of Patents & Trademarks; Washington, DC 20231.

January 2, 2002

Date



Signature

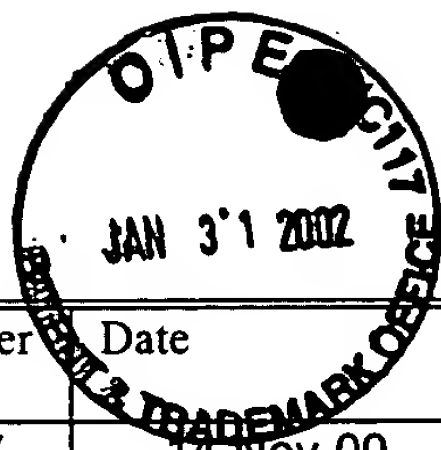


Form PTO-1449 U.S. DEPT. OF COMMERCE (modified 2/91) Patent and Trademark Office INFORMATION DISCLOSURE CITATION (Use several sheets if necessary)	Attorney Docket Number: 2100632-991121	Serial Number: 09/912,681
	Applicant: Janet Wasowicz	
	Filing date: 7/24/2001	Group art unit:

U.S. PATENT DOCUMENTS

Examiner Initial	Patent number	Date	Name	Class	Sub-class	Filing date if appropriate
	4,166,452	1-Sep-79	Generales, Jr.			
	4,285,517	1-Aug-81	Morrison			
	4,363,482	1-Dec-82	Goldfarb			
	4,457,719	3-Jul-84	Dittakavi et al.			
	4,483,681	20-Nov-84	Weinblatt			
	4,770,416	1-Sep-88	Shimuzu et al.			
	4,884,972	5-Dec-89	Gasper			
	5,122,952	16-Jun-92	Minkus			
	5,149,084	22-Sep-92	Dalebout et al.			
	5,387,104	7-Feb-95	Corder			
	5,456,607	10-Oct-95	Antoniak			
	5,513,126	30-Apr-96	Harkins et al.			
	5,562,453	8-Oct-96	Wen			
	5,579,469	26-Nov-96	Pike			
	5,649,826	22-Jul-97	West et. al.			
	5,692,906	2-Dec-97	Corder			
	5,694,546	2-Dec-97	Reisman			
	5,727,950	17-Mar-98	Cook et. al.			
	5,743,743	28-Apr-98	Ho et. al.			
	5,743,746	28-Apr-98	Ho et. al.			
	5,751,953	12-May-98	Shiels et. al.			
	5,762,503	9-Jun-98	Hoo et. al.			
	5,813,862	29-Sep-98	Merzenich et al.			
	5,836,771	17-Nov-98	Ho et. al.			
	5,863,208	26-Jan-99	Ho et. al.			
	5,884,302	16-Mar-99	Ho			
	5,885,083	23-Mar-99	Ferrell			
	5,920,838	6-Jul-99	Mostow et al.			
	5,927,988	27-Jul-99	Jenkins et al.			
	5,934,909	10-Aug-99	Ho et. al.			
	5,934,910	10-Aug-99	Ho et. al.			
	5,944,530	31-Aug-99	Ho et. al.			
	5,957,699	28-Sep-99	Peterson et al.			
	5,967,793	19-Oct-99	Ho et. al.			
	6,009,397	28-Dec-99	Siegel			
	6,017,219	5-Jan-00	Adams, Jr. et al.			
	6,019,607	1-Feb-00	Jenkins et al.			
	6,074,212	13-Jun-00	Cogliano			
	6,077,085	20-Jun-00	Parry et al.			
	6,098,033	1-Aug-00	Richardson et al.			

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Examiner Initial	Patent number	Date	Name	Class	Sub-class	Filing date if appropriate
	6,146,147	14-Nov-00	Wasowicz			
	6,159,014	12-Dec-00	Jenkins et al.			
	6,206,700	1-Mar-01	Brown et al.			
	6,190,173	Feb-01	Jenkins et al.			
	6,210,166	Apr-01	Jenkins et al.			
	6,123,548	Sep-00	Tallal et al.			
	6,036,496	Mar-00	Miller et al.			
	6,113,393	5-Sep-00	Neuhaus			

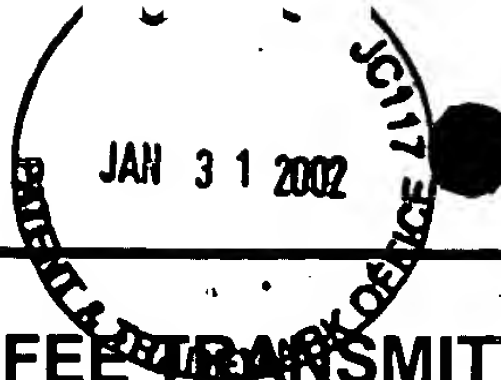
FOREIGN PATENT DOCUMENTS

Document number	Date	Country	Class	Sub-class	Translation
					YES NO

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

	Assessment and Instruction in Phonological Awareness, Florida Dept. of Education (1999)
	Auditory Processing Enhancement Programs, Vol. 2: Auditory Discrimination/Phonological Awareness, Academic Communication Associates (1997)
	C. Robertson et al., <i>The Phonological Awareness Test – Examiner's Manual</i> , LinguSystems, Inc. (1997)
	C.H. Lindamood et al., <i>The LAC Test (Lindamood Auditory Conceptualization Test) Revised Edition – Manual</i> (1971)
	<i>Central Test Battery</i> , Precision Acoustics (1998)
	<i>Innerlogic Reading Edge: Educator's Guide</i> , Innerlogic Software (1998)
	J.K. Torgesen et al., <i>Test of Phonological Awareness: Examiner's Manual</i> , Pro-Ed, (1994)
	J.K. Torgesen et al., <i>TOWRE – Test of Word Reading Efficiency – Examiner's Manual</i> , Pro-Ed (1999)
	Perceive & Respond Vol. 1: Environmental Sounds – Second Edition, Academic Communication Associates (1997)
	Perceive & Respond Vol. 2: Listening for Auditory Differences – Second Edition, Academic Communication Associates (1997)
	Perceive & Respond Vol. 3: Auditory Sequential Memory – Second Edition Academic Communication Associates (1997)
	<i>Phonemic Awareness in Young Children: A Classroom Curriculum</i> , Chapter 10 by Paul H. Brookes Publishing Co. (1998)
	R. Haaf et. al., "Computer-Based Language Assessment Software: The Effects of Presentation and Response Format", <i>Language, Speech, and Hearing Services in Schools</i> , Vol. 3, pp 68-74 (1999)
	R.K. Wagner et al., <i>CTOPP – Comprehensive Test of Phonological Processing – Examiner's Manual</i> , Pro-Ed (1999)
	Laura I. Goin et al., "Simon Sounds It Out, The Friendly way to build letter-sound connections", Don Johnston, 1996

Examiner:	Date Considered:
EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP '609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the applicant.	



FEE TRANSMITTAL for FY 2002 <i>Patent fees are subject to annual revision.</i>		Complete if Known	
		Application Number	09/912,681
		Filing Date	July 24, 2001
		First Named Inventor	Janet M. Wasowicz
		Examiner Name	K. Christman
		Group Art Unit	3713
TOTAL AMOUNT OF PAYMENT		(\$) 180.00	
		Attorney Docket No.	2100632-991121

METHOD OF PAYMENT		FEE CALCULATION (continued)																																																																																																																																																																																																
<p>1. <input type="checkbox"/> The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:</p> <p>Deposit Account Number: 07-1896</p> <p>Deposit Account Name: Gray Cary Ware & Freidenrich</p> <p><input checked="" type="checkbox"/> Charge Any additional Fee Required Under 37 CFR 1.16 and 1.17</p> <p><input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27</p>		<p>3. ADDITIONAL FEES</p> <table border="1"><thead><tr><th>Large Entity Fee Code</th><th>Large Entity Fee (\$)</th><th>Small Entity Fee Code</th><th>Small Entity Fee (\$)</th><th>Fee Description</th><th>Fee Paid</th></tr></thead><tbody><tr><td>105</td><td>130</td><td>205</td><td>65</td><td>Surcharge - late filing fee or oath</td><td></td></tr><tr><td>127</td><td>50</td><td>227</td><td>25</td><td>Surcharge - late provisional filing fee or cover sheet</td><td></td></tr><tr><td>139</td><td>130</td><td>139</td><td>130</td><td>Non-English specification</td><td></td></tr><tr><td>147</td><td>2,520</td><td>147</td><td>2,520</td><td>For filing a request for <i>ex parte</i> reexamination</td><td></td></tr><tr><td>112</td><td>920*</td><td>112</td><td>920*</td><td>Requesting publication of SIR prior to Examiner action</td><td></td></tr><tr><td>113</td><td>1,840*</td><td>113</td><td>1,840*</td><td>Requesting publication of SIR after Examiner action</td><td></td></tr><tr><td>115</td><td>110</td><td>215</td><td>55</td><td>Extension for reply within first month</td><td></td></tr><tr><td>116</td><td>400</td><td>216</td><td>200</td><td>Extension for reply within second month</td><td></td></tr><tr><td>117</td><td>920</td><td>217</td><td>460</td><td>Extension for reply within third month</td><td></td></tr><tr><td>118</td><td>1,440</td><td>218</td><td>720</td><td>Extension for reply within fourth month</td><td></td></tr><tr><td>128</td><td>1,960</td><td>228</td><td>980</td><td>Extension for reply within fifth month</td><td></td></tr><tr><td>119</td><td>320</td><td>219</td><td>160</td><td>Notice of Appeal</td><td></td></tr><tr><td>120</td><td>320</td><td>220</td><td>160</td><td>Filing a brief in support of an appeal</td><td></td></tr><tr><td>121</td><td>280</td><td>221</td><td>140</td><td>Request for oral hearing</td><td></td></tr><tr><td>138</td><td>1,510</td><td>138</td><td>1,510</td><td>Petition to institute a public use proceeding</td><td></td></tr><tr><td>140</td><td>110</td><td>240</td><td>55</td><td>Petition to revive - unavoidable</td><td></td></tr><tr><td>141</td><td>1,280</td><td>241</td><td>640</td><td>Petition to revive - unintentional</td><td></td></tr><tr><td>142</td><td>1,280</td><td>242</td><td>640</td><td>Utility issue fee (or reissue)</td><td></td></tr><tr><td>143</td><td>460</td><td>243</td><td>230</td><td>Design issue fee</td><td></td></tr><tr><td>144</td><td>620</td><td>244</td><td>310</td><td>Plant issue fee</td><td></td></tr><tr><td>122</td><td>130</td><td>122</td><td>130</td><td>Petitions to the Commissioner</td><td></td></tr><tr><td>123</td><td>50</td><td>123</td><td>50</td><td>Processing fee under 37 CFR 1.17(q)</td><td></td></tr><tr><td>126</td><td>180</td><td>126</td><td>180</td><td>Submission of Information Disclosure Stmt</td><td>180</td></tr><tr><td>581</td><td>40</td><td>581</td><td>40</td><td>Recording each patent assignment per property (times number of properties)</td><td></td></tr><tr><td>146</td><td>740</td><td>246</td><td>370</td><td>Filing a submission after final rejection (37 CFR § 1.129(a))</td><td></td></tr><tr><td>149</td><td>740</td><td>249</td><td>370</td><td>For each additional invention to be examined (37 CFR § 1.129(b))</td><td></td></tr><tr><td>179</td><td>740</td><td>279</td><td>370</td><td>Request for Continued Examination (RCE)</td><td></td></tr><tr><td>169</td><td>900</td><td>169</td><td>900</td><td>Request for expedited examination of a design application</td><td></td></tr><tr><td colspan="5">Other fee (specify) _____</td><td></td></tr><tr><td colspan="5">* Reduced by Basic Filing Fee Paid</td><td></td></tr><tr><td colspan="5">SUBTOTAL (3) (\$) 180.00</td></tr></tbody></table>		Large Entity Fee Code	Large Entity Fee (\$)	Small Entity Fee Code	Small Entity Fee (\$)	Fee Description	Fee Paid	105	130	205	65	Surcharge - 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<p>2. EXTRA CLAIM FEES</p> <p>Total Claims = <input type="text"/> X <input type="text"/> = <input type="text"/></p> <p>Independent Claims = <input type="text"/> X <input type="text"/> = <input type="text"/></p> <p>Multiple Dependent Claims X <input type="text"/> = <input type="text"/></p> <table border="1"><thead><tr><th>Large Entity Fee Code</th><th>Large Entity Fee (\$)</th><th>Small Entity Fee Code</th><th>Small Entity Fee (\$)</th><th>Fee Description</th><th>Fee Paid</th></tr></thead><tbody><tr><td>103</td><td>18</td><td>203</td><td>9</td><td>Claims in excess of 20</td><td></td></tr><tr><td>102</td><td>84</td><td>202</td><td>42</td><td>Independent claims in excess of 3</td><td></td></tr><tr><td>104</td><td>280</td><td>204</td><td>140</td><td>Multiple dependent claim, if not paid</td><td></td></tr><tr><td>109</td><td>80</td><td>209</td><td>42</td><td>** Reissue independent claims over original patent</td><td></td></tr><tr><td>110</td><td>18</td><td>210</td><td>9</td><td>** Reissue claims in excess of 20 and over original patent</td><td></td></tr><tr><td colspan="5">SUBTOTAL (2) (\$) 0.00</td><td></td></tr></tbody></table>		Large Entity Fee Code	Large Entity Fee (\$)	Small Entity Fee Code	Small Entity Fee (\$)	Fee Description	Fee Paid	103	18	203	9	Claims in excess of 20		102	84	202	42	Independent claims in excess of 3		104	280	204	140	Multiple dependent claim, if not paid		109	80	209	42	** Reissue independent claims over original patent		110	18	210	9	** Reissue claims in excess of 20 and over original patent		SUBTOTAL (2) (\$) 0.00																																																																																																																																																												
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SUBMITTED BY		Complete (if applicable)	
Name (Print/Type)	Timothy W. Lohse	Registration No. (Attorney/Agent)	35,255
Signature		Telephone	650-320-7426
		Date	January __, 2002



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First Named Inventor

Janet M. Wasowicz

Group Art Unit

3713

Examiner Name

K. Christman

Total Number of Pages in This Submission

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2100632-991121

☒ Fee Transmittal Form (1 pg.)

☒ Fee Attached

☐ Amendment with Appendix A
attached (13 pgs.)

After Final

Affidavits/declaration(s)

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☐ Express Abandonment Request

☒ Information Disclosure Statement
w/Information Disclosure Citation
(4 pgs.)

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Document(s)

☐ Response to Missing Parts/
Incomplete Application

☐ Response to Missing
Parts under 37 CFR
1.52 or 1.53

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and Accompanying Petition

☐ Petition to Convert to a Provisional
Application

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☐ Terminal Disclaimer

☐ Small Entity Statement

☐ Request for Refund

☐ After Allowance Communication
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☐ Appeal Communication to Board
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